

Sixth Appellate District

San Jose, California

MONDAY, AUGUST 17, 1998

The Court met in its courtroom at the San Jose City Council Chambers, 801 N. First Street, San Jose, California. Present: Premo, Acting P.J.; Elia, J., Wunderlich, J.; and W. Magsaysay, Deputy Clerk.

H017071 PEOPLE v. LE

Cause called and argued by Guyton N. Jinkerson appearing for appellant and by Monique Ho, Certified Law Student, appearing for respondent. Catherine A. Rivlin, Deputy Attorney General, is present in supervision of Certified Law Student. Cause ordered submitted.

H017010 STONE, et al. v. BDO SEIDMAN, et al.

Cause called and argued by W. Montgomery Jones appearing for appellants and by Robert S. Luther appearing for respondents. Cause ordered submitted.

H016843 AURAN v. LOCKHEED MISSILES & SPACE CO.

H017282 AURAN v. LOCKHEED MISSILES & SPACE CO.

Cause called and argued by Thomas E. Kotoske appearing for appellant and by John C. Cook appearing for respondent. Cause ordered submitted.

H017305 ARELLANO v. ARELLANO, et al.

Cause called and argued by William R. Garfield appearing for appellants and by David R. Finch appearing for respondent. Cause ordered submitted. Court recesses.

The Court reconvened at 1:30 p.m in City of San Jose Council Chambers, 801 No. First Street, San Jose, California. Present: Premo, Acting P.J.; Elia, J., Wunderlich, J.; and R. W. Norvelle, Deputy Clerk.

H016850 PEOPLE v. HOBBS

Cause called and argued by Barry Karl appearing for appellant and by David D. Salmon, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H017360 PEOPLE v. RANGER INSURANCE COMPANY

Cause called and argued by Eric Shiu, Deputy County Counsel, appearing for appellant and by Alan Nunez appearing for respondent. Cause ordered submitted.

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Monday, August 17, 1998 (continued)

H015648 GUNNER v. MARRIOTT MANAGEMENT SERVICES CORPORATION

H015271 GUNNER v. MARRIOTT MANAGEMENT SERVICES CORPORATION

Cause called and argued by Lowell T. Carruth appearing for appellant Richard V. Gunner and by Robert J. Hanna appearing for appellant Marriott Management Services Corporation. Cause ordered submitted.

H017055 WILTRON COMPANY, et al. v. BANK OF THE WEST, et al.

Cause called and argued by Bruce Piontkowski appearing for appellants and by R. Bradford Huss appearing for respondents. Cause ordered submitted. Court is adjourned.

H018631 CHRISTIAN v. DESALVATORE

By the Court:

The motion for relief from dismissal, considered a request to set aside the dismissal order filed July 17, 1998, as corrected on July 29, 1998, is denied.

(Cottle, P.J., Premo, J., and Elia, J. participated in this decision.)

Dated August 17, 1998

Cottle P.J.

H016940 HALL v. SANTA CRUZ PORT DISTRICT

The judgment is reversed. (not published)
(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)
Filed August 17, 1998

H017169 NELSON v. FORD MOTOR COMPANY

The judgment is affirmed. (not published)
(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)
Filed August 17, 1998

TUESDAY, AUGUST 18, 1998

H017378 IN RE DENNIS J., et al.

The judgment is affirmed. (not published)
(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)
Filed August 18, 1998

H016744 CITY OF SAN JOSE v. DEPARTMENT OF HEALTH SERVICES, et al.

The judgment is affirmed. City is awarded costs on appeal as the prevailing party herein. (published)
(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)
Filed August 18, 1998

H017212 MORILLION, et al. v. ROYAL PACKING CO., et al.

The judgment is affirmed. (published)
(Elia, J.; We concur: Premo, Acting P.J., Wunderlich, J.)
Filed August 18, 1998

Sixth Appellate District

San Jose, California

WEDNESDAY, AUGUST 19, 1998

H017686 THE PEOPLE v. GARGES

The judgment is affirmed. (not published)
(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)
Filed August 19, 1998

H017787 PEOPLE v. ESPINOZA

The judgment is affirmed. (not published)
(Elia, J.; We concur: Premo, Acting P.J., Wunderlich, J.)
Filed August 19, 1998

H017757 PEOPLE v. COX

The judgment is affirmed. (not published)
(Premo, Acting P.J.; We concur: Elia, J., Cottle, P.J.)
Filed August 19, 1998

H017650 PEOPLE v. SANCHEZ

The judgment is reversed. (not published)
(Mihara, J.; We concur: Cottle, P.J., Bamattre-Manoukian, J.)
Filed August 19, 1998

H017005 PEOPLE v. ROWAN

Conviction on count 4 is reversed. In all other respects,
the judgment is affirmed. The clerk of the superior court is
ordered to correct the abstract of judgment. (not published)
(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)
Filed August 19, 1998

THURSDAY, AUGUST 20, 1998

H015775 BRASSINGA, et al. v. CITY OF MOUNTAIN VIEW; ACTON

The judgment is reversed and remanded for further
proceedings in accordance with the views expressed herein. The
parties shall bear their own costs. (published)
(Mihara, J.; We concur: Cottle, P.J., Bamattre-Manoukian, J.)
Filed August 20, 1998

H016392 PEOPLE v. JACKSON

By the Court:

The written opinion which was filed on July 22, 1998, 1998
is certified for partial publication. (Mihara, J.; Cottle,
P.J.;

The written opinion which was filed on July 22, 1998, 1998
has now been certified for partial publication pursuant to rule
976(b) and 976(1) of the California Rules of Court, and it is
therefore ordered that it be published in the Official Reports
with the exception of DISCUSSION PARTS I, II, III, IV, V, VII and
Cumulative Error

Sixth Appellate District

San Jose, California

Dated: August 20, 1998

Cottle, P.J.

Thursday, August 20, 1998 (continued)

H016351 MAPSTEAD, et al. v. MONTEREY COUNTY, et al.

(Filed order modifying opinion.) Real Party in Interest's petition for rehearing is denied. This modification does not affect the judgment. (not published)

(Premo, Acting P.J.; Elia, J.; Wunderlich, J.)

Filed August 20, 1998

FRIDAY, AUGUST 21, 1998

H013165 PEOPLE v. AGUILAR, et al.

The judgment is affirmed. (not published)

(Elia, J.; We concur: Premo, Acting P.J., Mihara, J.)

Filed August 21, 1998